

Questions for the Probation Commission from the
Probation Oversight Commission Working Group
October 12, 2016

- 1- What is the legal authority of the Probation Commission and what does it empower the commission to do?
- 2- The Probation Oversight Work Group is tasked with identifying the best way to provide civilian oversight to the department and to look at how the Oversight Group should be constructed. To help us understand the Probation Commission's current role oversight, provide some examples of:
 - a. What has the Probation Commission successfully accomplished through oversight in the past forty-eight months?
 - b. What has the Probation Commission failed to accomplished through oversight in the past forty-eight months?
- 3- Do the commissioners work as a team to:
 - a. Identify concerns and issues?
 - b. How do they identify issues and concerns as a team?
 - c. What are goals of the commission as a team?
- 4- Do the commissioners work as individuals to:
 - a. Identify concerns and issues?
 - b. How do they identify issues and concerns as an individual?
 - c. What are goals of the commission as a team?
- 5- Do the Commissioners receive formalized training as to:
 - a. What their roles are? If so who provides training?
 - b. What their authority is? If so who provides training?
 - c. How to interact with the media and the public? If so who provides training?
 - d. On Title 15 and how to conduct a document an inspection of a juvenile custody facility? If so who provides training?
 - e. On the various bureaus, department's sections and units of the department and their duties? If so who provides training?
 - f. On the how the department is structured by rank? If so who provides training?
 - g. On the different missions and laws that apply to Juvenile Probationers? If so who provides training?
 - h. On how Transitional Youth are impacted? If so who provides training?
 - i. On how Crossover Youths are impacted? If so who provides training?

- j. On special needs probationer's, juvenile and adult to include LGBTQ? If so who provides training?
 - k. On the different missions and laws that apply to Adult Probationers? If so who provides training?
 - l. On the training programs of Probation Department staff, sworn and civilian? If so who provides training?
 - m. On proper protocols to report suspected misconduct, hazards, deficiencies or other potential issues of liability? If so who provides training?
 - n. On proper protocols to report and/or recognize the good work of staff or a probationer? If so who provides training?
- 6- Does the Probation Commission have a budget and support staff?
- a. If not, what would the Commission need as to equipment, office space and staff to meet its legal mandates under the Welfare and Institutions Code?
 - b. To facilitate its oversight role for the entire department?
- 7- Does the commission meet regularly with:
- a. The Sybil Brand Commission
 - b. The Grand Jury
 - c. BoS Justice Deputies
 - d. BoS Education Deputies
 - e. Chief Probation Officer or designee
 - f. Presiding Judge of the Juvenile Court
 - g. Office of Independent Monitoring
 - h. LACOE
 - i. Mental Health Commission/or Mental Health
 - j. Children and Families Commission\
 - k. California Board of State and Community Corrections
 - l. Sheriff and local law enforcement
- 8- Does the commission inspect juvenile custody facilities within Los Angeles County with members of:
- a. The Sybil Brand Commission
 - b. The Grand Jury
 - c. BoS Justice Deputies
 - d. BoS Education Deputies
 - e. Chief Probation Officer or designee
 - f. Presiding Judge of the Juvenile Court
 - g. Office of Independent Monitoring
 - h. LACOE
 - i. Mental Health Commission/or Mental Health
 - j. California Board of State and Community Corrections

k. Sheriff and local law enforcement

- 9- Currently the Probation Commission has 15 members, with three from each district. Is there a log or record to show the members regular participation in auditing, monitoring or inspect department operations?
- 10- Is there a need for 15 members or could the department oversight be accomplished with 7 to 9 members and support staff?
- 11- Are the current commissioners reflective of the ethnic diversity of Los Angeles County?
- 12- Are the current commissioners reflective of the critical disciplines to provide oversight to the department? If so provide the types of disciplines, I. E. Educator, Public Safety, Attorney, Advocate, Community or Faith Based Organization etc.
- 13- Do the current commissioners have any possible conflicts of interest in providing oversight to the Probation Department (Adult and Juvenile)? I.E. Attorneys with clients in custody or under Probation supervision, contracts or fiduciary relationships with the county and or Probation department.
- 14- Do Probation Commissioners get a background investigation? If so by who?
- 15- Who provides the Probation Commissioners with their credentials?
- 16- Who does the Probation Commission work for?
- 17- What are the requirements for participation of a Probation Commissioner?
- 18- How often does the Probation Commission meet?
- 19- How is selection of the chairperson and or executive staff of the commission selected and when?
- 20- Does the Probation Commission have by-laws?
- 21- Custody facility inspection:
 - a. What is the written policy for conducting inspections?
 - b. What is the procedure for conducting an inspection?
 - c. Is there a standardized form for the documenting the inspection? If so provide an example.
 - d. Who does the report go to?
 - i. Department?

- ii. BoS/Justice Deputies?
 - iii. CEO Office?
 - iv. BSCC?
 - v. OIM?
- e. When does a report become public record?
- f. How does the public get a copy?
- g. Where is the original report retained?
- h. How is follow-up on the report conducted?
- i. Are inspections scheduled or surprise visits.
- j. Are the inspections of juvenile camps?
- k. Are the inspections of Juvenile Hall?
- l. Group Homes?
- m. County/state/local juvenile lockups?

22- The current Probation Commission has primarily been focused on Juvenile Probation with an emphasis on juvenile custody facilities, yet the Probation Commission by county charter has advisory oversight for all aspects of the Probation Department. In the BoS motion they asked for a study on splitting the department into two departments, one department with two distinct sides (adult and Juvenile) or retain the current structure. Based on these three scenarios:

- a. What would the Probation Commission recommendation be on the listed three options?
- b. How would the existing Probation Commission adapt to provide oversight?
- c. What authority would be needed?

23- The current Probation Commission answers directly to the Board of Supervisors, as such they can go to the BoS to get compliance from the department, has the Commission done this? If so give an example and the results.

24- If a new Probation Oversight Body was created how would you see the Probation Commission role in working with it?

25- If the existing Probation Commission was reformatted and restructured to provide better oversight what would be:

- a. The benefits?
- b. The pitfalls?

26- If the existing Probation Commission was reformatted and restructured to provide better oversight:

- a. How should it be structured?
- b. Who should it answer to?
- c. Should the commissioners be compensated?
 - i. If so why?

- ii. If so how much?

27- If the Probation Commission was reformatted and/or a new oversight body was created:

- a. Should they all be BoS appointees?
- b. Should the Presiding Judge of Juvenile Court have an appointee?
- c. Should the Presiding Judge of Superior Court have an appointee?
- d. Should the CEO have an appointee?
- e. Should the District Attorney have an appointee?
- f. Should the Public Defender have an appointee?
- g. Should the District Attorney have an appointee?
- h. Should the CCJCC have an appointee?

28- If a new Oversight Body was created in addition to the Probation Commission should they be a voting member of CCJCC?

29- What is the status of the relationship (poor, weak, okay, good or strong) between the current Probation Commission and:?

- a. Chief Probation Officer?
- b. Probation Staff?
- c. Probation Unions?
- d. BoS Justice Deputies?
- e. Board of Supervisors?
- f. LACOE?
- g. Children and Families Commission?
- h. BCSS?
- i. The community?
- j. OIM?

30- Should current employees of the:

- a. The Probation Department be allowed to serve on the Probation Oversight Committee?
- b. LACOE who work in Probation institutions be allowed to serve on the Probation Oversight Committee?
- c. Members of Community Based Organizations who are contracted to or through the Probation Department be allowed to serve on the oversight body.
- d. Should former probationers be allowed to serve on the Probation Oversight Commission?

A recent LA Times editorial stated, “that the Probation has been such a vexing problem for the supervisors for so long precisely because they have never figured out the appropriate relationship between themselves and the department chief, nor have they been able to determine the proper role of the 15-member Probation Commission.”

The board has had a sketchy and at times nonexistent relationship with the commission, at turns heeding and ignoring the input of the members it appointed. Frustrated, commission members have occasionally gone rogue, taking their critiques of the department to the public. Should they not? Are probation commissioners responsible to the supervisors who appointed them, to the clientele the department supervises, or to the public? Who works for whom?

- 31- So have Commissioners acted independent of the BoS by going “rogue,” leaking information, documents or reports to the media outside of Probation Commission protocols?
- 32- Have Commissioners made statements to the media without authorization of Commission?
- 33- What is the Probation Commission policy on media relations?
- 34- Does the Commission interact with OIM regularly? If so and why? If not, why not?
- 35- Should the Probation Department have Oversight from the Los Angeles County Inspector General’s Office? If so why? If not why not?
- 36- Should the Office of Independent Monitoring (OIM) be contracted to serve as the Oversight Commissions Inspector General for the department? If so why? If not why?
- 37- Any thoughts or recommendations not included in the original letter from the Probation Commission or this questionnaire that the commission would like to add?